

# Children (Equal Protection from Assault) (Scotland) Bill

## Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Professional with experience in a relevant subject

Please select the category which best describes your organisation

*No Response*

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I am content for this response to be attributed to me or my organisation

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Ronald Hughes

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

## Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

Fully opposed

Q1. Which of the following best expresses your view of the proposal of giving children equal protection from assault by prohibiting all physical punishment of children?

**Please explain the reasons for your response**

As a former police officer I have dealt with many incidents of a domestic nature in which children have been physically chastised by one or other parent. I have attended many meeting of the former Grampian Regional Council Standing Committee on Child Abuse. I have also attended numerous meetings of the City Children's Panel to testify in respect of errant children. I have supervised on rare occasions the prosecution of a parent under Section 12 of the Children and Young Persons (Scotland) Act, and although now repealed, the section seemed to me to fully protect a child from excessive punishment, and to provide a yardstick on what is excessive physical chastisement. I have also dealt with false complaints of abuse by children made against their parents which should be taken very seriously in deliberations on Mr Finnie's proposed Bill.

Q2. Could the aims of the proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

Yes (if so, please explain below)

**Please explain the reasons for your response**

The option is there to reintroduce the exact content of the now repealed Section 12 referred to above, and to recognise that as a general rule parents chastise their children with a heavy heart and in the hope that the correcting influence will help them understand why they have been punished. This practice has worked for many centuries now and I cannot accede to support in any shape or form for Mr Finnie's Bill. I also believe that what happens by way of chastisement in other European countries is totally irrelevant to any discussion in Scotland.

Q3. What do you think would be the main advantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

On the contrary the prohibition of physical punishment would seriously disadvantage children who would see the opportunity to further enhance their disobedience.

I would also add that the nation has seen off the iniquitous proposed legislation commonly referred to as the "named person scheme" and we will continue to oppose any government interference with family life where adequate protective legislation is already in place for our children.

Q4. What do you think would be the main disadvantages, if any, of giving children equal protection from assault by prohibiting all physical punishment of children?

*No Response*

## Page 11: Financial implications

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

Significant increase in cost

Q5. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have?

**Please explain the reasons for your response**

Policing this proposed legislation if brought into law would or could cost millions depending on the zeal of the enforcers.

## Page 12: Equalities

Q6. What overall impact is the proposed Bill likely to have on the following protected groups (under the Equality Act 2010): race, disability, sex, gender re-assignment, age, religion and belief, sexual orientation, marriage and civil partnership, pregnancy and maternity?

**Please explain the reasons for your response**

Since we are all equal under the law, the impact would be the same.

Q7. Could any negative impact of the proposed Bill on any of these protected groups be minimised or avoided?

No

## Page 14: Sustainability of the proposal

Q8. Do you consider that the proposed Bill can be delivered sustainably i.e. without having a disproportionate economic, social and/or environmental impact?

No

**Please explain the reasons for your response:**

For the reasons I have given in answer to previous questions

## Page 15: General

Q9. Do you have any other comments or suggestions on the proposal?

Yes - please! do not proceed further